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4 Honorable Barbara J. Rothstein  
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10 UNITED STATES DISTRICT COURT  
11 WESTERN DISTRICT OF WASHINGTON  
12 AT SEATTLE

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14 DEVELOPERS SURETY AND INDEMNITY  
15 COMPANY,

16 Plaintiff,

17 vs.

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19 ADAMS RESIDENTIAL CONTRACTING,  
20 INC.,

21 Defendant.

22 No. 2:20-cv-00912-BJR

23  
24 DECLARATION OF PAUL SMITH IN  
25 SUPPORT OF PLAINTIFF'S MOTION  
26 FOR SUMMARY JUDGMENT

27  
28 NOTED FOR HEARING:  
29 FRIDAY, SEPTEMBER 18, 2020

30  
31 I, Paul Smith, hereby declare the following:

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33 1. I am over eighteen years of age and competent to make this declaration of my  
34 own personal knowledge. I am one of the attorneys for plaintiff Developers Surety and  
35 Indemnity Company.

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37 2. Attached as **Exhibit 1** is a true and accurate copy of the complaint filed in *City of*  
38 *Seattle v. Adams Residential Contracting, Inc. and McDowell Northwest Pile King, Inc.*, King  
39 County Superior Court cause number 19-2-21001-0 SEA, filed on August 9, 2019.

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41 3. Attached as **Exhibit 2** is a true and accurate copy of a Certificate of Liability  
42 Insurance, with attached endorsement, produced by defendant with its initial disclosures and  
43 Bates stamped Foreman Sturm000001-7.

1 I declare under penalty of perjury under the laws of the United States and the State of  
2 Washington that the foregoing is true and correct.

3 Signed and dated this 27th day of August, 2020 at Seattle, Washington.

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5 *s/ Paul S. Smith*  
6 Paul S. Smith  
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**CERTIFICATE OF SERVICE**

The undersigned certifies under the penalty of perjury under the laws of the State of Washington that I am now and at all times herein mentioned, a citizen of the United States, a resident of the State of Washington, over the age of eighteen years, not a party to or interested in the above-entitled action, and competent to be a witness herein.

On the date given below I caused to be served the foregoing DECLARATION OF PAUL S. SMITH WITH EXHIBITS on the following individual via the Court's ECF system which will give notice to:

Ms. Linda L. Foreman  
Foreman Sturm & Thede, LLP  
5825 60th St. S.E.  
Snohomish, WA 98290-5104  
Email: [linda@foremansturm.com](mailto:linda@foremansturm.com)

**SIGNED** this 27<sup>th</sup> day of August, 2020 at Everett, Washington.

s/ *Denise Mary Pope*  
Denise Mary Pope